

By Taylor

H.C.R. No. 44

CONCURRENT RESOLUTION

1 WHEREAS, Michael Powers alleges that:

2 (1) he purchased property from John Chrestia who had
3 entered into a lease contract with the State Purchasing and General
4 Services Commission to use the property as office space for the
5 child support division of the office of the attorney general in
6 Waco, Texas;

7 (2) he purchased the property and the lease with the
8 approval of the State Purchasing and General Services Commission
9 and the attorney general's office and with the assurance that the
10 lease was valid;

11 (3) the lease covered the period beginning April 1,
12 1985, and ending March 31, 1990, at a rental price of \$1,347 a
13 month for 1,925 square feet of space;

14 (4) the State Purchasing and General Services
15 Commission without cause or justification terminated the lease on
16 or about July 27, 1988, effective November 30, 1988;

17 (5) he has not been able to re-lease the space and is
18 unlikely to do so in the foreseeable future because of general
19 economic conditions; and

20 (6) he is entitled to be compensated for the financial
21 damage he has suffered because of the unlawful breach of contract
22 by the State Purchasing and General Services Commission; now,
23 therefore, be it

24 RESOLVED by the Legislature of the State of Texas, That

1 Michael Powers is granted permission to sue the State of Texas, the
2 State Purchasing and General Services Commission, and the attorney
3 general subject to Chapter 107, Civil Practice and Remedies Code;
4 and, be it further

5 RESOLVED, That the chairman of the State Purchasing and
6 General Services Commission be served process as provided by
7 Section 107.002(a)(3), Civil Practice and Remedies Code.

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1. Filed with the Chief Clerk.

2. Read first time and referred to Committee on General Affairs

4. Printed and distributed at _____ : _____ M.
(time)

6. Read and (adopted) (failed) (as amended) by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, _____ present, not voting).

8. Engrossed.

10. Sent to Senate.

Chief Clerk of the House

_____ 11. Received from the House.

_____ 12. Read first time and referred to Committee on _____

_____ 13. Reported favorably.

_____ 14. Ordered not printed by the Senate.

_____ 15. Immediate consideration ordered by (unanimous consent)
(_____ yeas, _____ nays)

_____ 16. Read and adopted.

Secretary of the Senate

_____ 17. Returned to the House.

_____ 18. Received from the Senate (with amendments).

_____ 19. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 20. Conference Committee Ordered.

_____ 21. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 22. Ordered Enrolled at _____ : _____ M.
(time)